

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RANDALL LEE DUNCAN,

Defendant.

8:23CR87

ORDER

On June 21, 2024, defendant Randall Lee Duncan (“Duncan”) pleaded guilty pursuant to a written plea agreement (Filing No. 63) to one count of conspiring to distribute methamphetamine, in violation of 21 U.S.C. § 846. As part of the plea agreement, Duncan further agreed to the forfeiture of a vehicle. The Court sentenced him on October 3, 2024, to a 96-month term of imprisonment to be followed by three years of supervised release (Filing No. 97). He is currently serving that sentence at the low-security Federal Correctional Institution in Forrest City, Arkansas (“FCI Forrest City”).

Now before the Court is Duncan’s Motion for Sentence Reduction Under 18 U.S.C. § 3582(c)(1)(A) (Filing No. 105). That statute allows the Court to reduce a defendant’s sentence under limited circumstances, including where they have exhausted their ability to seek relief from the Bureau of Prisons (“BOP”) and demonstrated that “extraordinary and compelling reasons warrant such a reduction.” 18 U.S.C. § 3582(c)(1)(A)(i). According to Duncan, he requested sentencing relief from the warden of FCI Forrest City on December 31, 2024, but never heard back. *See id.* § 3582(c)(1)(A) (permitting defendants to move for a sentence reduction after the lapse of thirty days from the date they requested such relief from the warden of their facility). Through counsel, he reports that he suffers from a number of serious medical conditions that are not being properly addressed in prison.

The Court finds that Duncan's reported circumstances present potentially colorable grounds for relief under § 3582(c)(1)(A)(i). Accordingly,

IT IS ORDERED:

1. The U.S. Probation and Pretrial Services Office is directed to investigate Duncan's request for a sentence reduction and promptly file under seal a report on that investigation.
2. Within ten days of the probation office filing its investigation report, the government shall file a brief responding to Duncan's request for sentencing relief and Duncan shall file any further evidence or support necessary to the Court's disposition of his motion. Absent an extension, the motion shall be deemed fully briefed and submitted as of that date.

Dated this 4th day of June 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge